

HOUSE No. 1906

By Mr. Fresolo of Worcester, petition of John P. Fresolo and others that internal public safety investigations be exempt from public disclosure requirements. Public Safety and Homeland Security.

The Commonwealth of Massachusetts

PETITION OF:

John P. Fresolo
SEIU - 5000 NAGE

Joan M. Menard

In the Year Two Thousand and Five.

AN ACT CONCERNING THE DISCLOSURE OF RECORDS INVOLVING CITIZEN COMPLAINTS AND THE DISCIPLINE OF PUBLIC SAFETY OFFICERS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 Chapter four, section seven, clause twenty-sixth, of the General
2 Laws is hereby amended by inserting a new paragraph (n) as
3 follows:—
4 (n) records or information compiled or received as part of an
5 internal investigation into the conduct of any public safety officer
6 of the commonwealth or any political subdivision or authority
7 thereof, including any related correspondence, notes, drafts,
8 untranscribed audio tapes or reports recommending any form of
9 discipline and any records or information indicating a specific
10 level of discipline imposed on any individual officer; provided
11 however, that any document submitted by a citizen concerning the
12 conduct of any public safety officer shall be a public record so
13 long as the name, address, telephone number, or any other infor-
14 mation which might identify any person, including the com-
15 plainant and any witnesses or public safety officer, are redacted
16 therefrom. Records or information disclosing the specific discipli-
17 nary actions taken as the result of any such complaint or internal
18 investigation shall be deemed to be personnel files or information

19 under paragraph (c) hereof; provided however, that information
20 disclosing whether or not any disciplinary action has been taken
21 shall be a public record so long as the name, badge number,
22 address, telephone number, or any other information which might
23 identify the name or names of the officers involved are not dis-
24 closed.